

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
COLBY B. BROOKS	:	
Debtor	:	BKCY NO. 16-11577 mdc
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U.S. BANK TRUST NATIONAL	:	
ASSOCIATION AS TRUSTEE OF THE	:	
IGLOO SERIES III TRUST,	:	
Movant	:	
	:	
vs.	:	
	:	
COLBY B. BROOKS AND	:	
WILLIAM C. MILLER, TRUSTEE,	:	
Respondents	:	

**DEBTOR'S ANSWER TO  
MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
OF U.S. BANK TRUST NATIONAL ASSOCIATION  
AS TRUSTEE OF THE IGLOO SERIES III TRUST**

Debtor, Colby B. Brooks, by and through her counsel, Jeffrey C. McCullough, Esquire, responds the Motion of U.S. Bank Trust National Association As Trustee of the Igloo Series III Trust for relief from the automatic stay, as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Debtor is not aware of the current identity of the current holder of the subject mortgage. She is aware of a mortgage servicer which she understands is servicing the mortgage loan known as BSI Financial Services.
5. Admitted.
6. Admitted that the referenced assignment document was recorded.
7. Denied. Debtor disputes that the current outstanding balance due is in the amount of \$241,486.60 and proof thereof is demanded.
8. Admitted that the value of the Real Property at the time of the filing of the bankruptcy on March 9, 2016 was \$207,000.00. Debtor believes that there has been appreciation in that value since that time.

9. Admitted that there are delinquencies in post-petition payments although Debtor disputes that those delinquencies dated back to March 1, 2007. Denied that Movant lacks adequate protection in the Real Property. Denied that the Real Property is in poor condition or declining in value.

10. Admitted that Movant has incurred attorney's fees and expenses associated with the Motion for Relief From Stay. By way of further answer, only the reasonable fees and costs should be permitted to be assessed against Debtor.

11. Admitted as a statement of law.

12. Denied. Denied that Movant is entitled to relief from the automatic stay. Denied that Movant lacks adequate protection of its security interest. Denied that Debtor lacks equity in her residence. Denied that the property is not necessary for an effective reorganization of Debtor.

13. Denied that there is basis for waiver of Bankruptcy Rule 4001.

WHEREFORE, Debtor requests that the Motion of U.S. Bank Trust National Association As Trustee of the Igloo Series III Trust for Relief From the Automatic Stay be denied.

Respectfully submitted,

/s/Jeffrey C. McCullough  
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